

Attorneys for Defendants
Uber Technologies, Inc.; Rasier, LLC; and
Rasier-CA, LLC

L.A. Taxi Cooperative, Inc. dba Yellow Cab Co.; Administrative Services SD, LLC dba Yellow Radio Service; All Yellow Taxi, Inc. dba Metro Cab; American Cab, LLC; American Cab, LLC dba Pomona Valley Yellow Cab; Bell Cab Company, Inc.; TM-MTM, Inc.; Big Dog City Corporation dba Citywide Dispatch, Citywide Taxi, and Big Dog Cab; Cabco Yellow, Inc. dba California Yellow Cab; C&J Leasing, Inc. dba Royal Taxi; G&S Transit Management, Inc.; Gorgee Enterprises, Inc.; LA City Cab, LLC; Long Beach Yellow Cab Co-operative, Inc.; Network Paratransit Systems, Inc.; South Bay Co-operative, Inc. dba United Checker Cab; Taxi Leasing, Inc. dba Yellow Cab of Ventura County; Tri-City Transportation Systems, Inc.; Tri Counties Transit Corporation dba Blue Dolphin Cab of Santa Barbara, Yellow Cab of Santa Maria, and Yellow Cab of San Luis Obispo; and Yellow Cab of South Bay Co-operative, Inc. dba South Bay Yellow Cab,

DEFENDANTS' RESPONSES AND OBJECTIONS TO PLAINTIFFS' REQUESTS FOR PRODUCTION OF DOCUMENTS (SET FOUR)

Uber Technologies, Inc.; Rasier, LLC; and Rasier-CA, LLC,

Defendants.

1 PROPOUNDING PARTIES: L.A. Taxi Cooperative, Inc. dba Yellow Cab Co.;
 2 Administrative Services SD, LLC dba Yellow Radio
 3 Service; All Yellow Taxi, Inc. dba Metro Cab; American
 4 Cab, LLC; American Cab, LLC dba Pomona Valley Yellow
 5 Cab; Bell Cab Company, Inc.; TM-MTM, Inc.; Big Dog City
 6 Corporation dba Citywide Dispatch, Citywide Taxi, and Big
 7 Dog Cab; Cabco Yellow, Inc. dba California Yellow Cab;
 8 C&J Leasing, Inc. dba Royal Taxi; G&S Transit
 9 Management, Inc.; Gorgee Enterprises, Inc.; LA City Cab,
 LLC; Long Beach Yellow Cab Co-operative, Inc.; Network
 Paratransit Systems, Inc.; South Bay Co-operative, Inc. dba
 United Checker Cab; Taxi Leasing, Inc. dba Yellow Cab of
 Ventura County; Tri-City Transportation Systems, Inc.; Tri
 Counties Transit Corporation dba Blue Dolphin Cab of Santa
 Barbara, Yellow Cab of Santa Maria, and Yellow Cab of San
 Luis Obispo; and Yellow Cab of South Bay Co-operative,
 Inc. dba South Bay Yellow Cab

10 RESPONDING PARTIES: Uber Technologies; Rasier, LLC; and Rasier-CA, LLC,

11 SET NUMBER: FOUR¹

12 Defendants Uber Technologies, Inc., Rasier, LLC, and Rasier-CA, LLC (collectively
 13 “Defendants”) hereby submit the following responses and objections (“Responses”) to Plaintiffs’
 14 Fourth Request for Production of Documents (“RFPs”), served by e-mail on October 10, 2016.

15 **PRELIMINARY STATEMENT**

16 These Responses reflect only the current status of Defendants’ knowledge, understanding,
 17 and belief regarding the matters about which inquiry has been made. Without in any way
 18 obligating themselves to do so, Defendants reserve the right to amend, modify, supplement,
 19 clarify, or further explain these Responses and objections at any time in the future.

20 Further, these Responses are without prejudice to the right of Defendants to use or rely on
 21 at any time, any later discovered information, or information omitted from these responses as a
 22 result of mistake, error, oversight, or inadvertence. Defendants further reserve the right to object
 23 on appropriate grounds to the introduction of any portion of these responses into evidence.
 24 Any inadvertent disclosure by Defendants of information protected by the attorney-client

25
 26 ¹ Plaintiffs served a Third Request for Production of Documents by e-mail on June 30,
 27 2016, which contained Request Nos. 40-63. Defendants served their responses and objections on
 28 August 2, 2016. On October 10, 2016, Plaintiffs served by e-mail a document captioned
 “Plaintiffs’ Requests For Production of Documents to Defendants (Set Three),” which contained
 Request Nos. 40-77. The October 10, 2016 Requests were thus Plaintiffs’ fourth set of requests
 for production.

1 privilege, the work product doctrine, or any other applicable privilege or protection shall not
2 constitute a waiver of that privilege or protection.

3 These Responses are made solely for the purpose of, and in relation to, discovery
4 conducted in this case. Each Response is given subject to all appropriate objections (including,
5 but not limited to, objections concerning competency, privacy, relevancy, specificity, overbreadth,
6 undue burden, materiality, confidential proprietary or trade secret material, or admissibility),
7 which would require the exclusion of any response contained herein. All such objections are
8 therefore reserved and may be interposed at trial.

9 Defendants respond to the RFPs as Defendants interpret and understand them. If Plaintiffs
10 subsequently assert an interpretation that differs from Defendants' understanding, Defendants
11 may, but are not obligated to except as required by law, supplement their objections and/or
12 responses herein.

13 Defendants state that, except for facts explicitly admitted herein, no admission of any
14 nature whatsoever is to be implied or inferred from the Responses. The fact that Defendants have
15 responded to the RFPs should not be taken as an admission or concession of the existence of any
16 fact set forth or assumed by the RFPs, or that such response constitutes evidence of any fact thus
17 set forth or assumed.

18 **GENERAL OBJECTIONS**

19 Defendants' Response to each RFP shall be deemed to contain the following general
20 objections ("General Objections") as if set forth in full therein. From time to time, for special
21 emphasis, Defendants will repeat in the specific objections certain objections also set forth in the
22 General Objections. The specific objections are submitted without prejudice to, and without in
23 any way waiving, the General Objections listed below, but not expressly set forth in the Response.
24 The assertion of any objection to any RFP below is neither intended as, nor shall in any way be
25 deemed, a waiver of Defendants' right to assert that or any other objection at a later date.

26 1. Defendants do not waive: (1) any objections as to competence, relevance,
27 materiality, propriety and admissibility, to any and all other objection on any grounds, all of which
28 objections and grounds are expressly reserved and may be interposed at the time of trial; or (2) the

1 right to object to other discovery requests or undertakings involving or relating to the subject
2 matter of the RFPs herein.

3 2. Defendants object to the RFPs and to each request therein to the extent that they
4 purport to impose on Defendants obligations that differ from or exceed those required by the
5 Federal Rules of Civil Procedure, the Local Rules of the United States District Court for the
6 Northern District of California, or any order or ruling by the Court in this action. Defendants will
7 not comply with any purported obligation not imposed by law.

8 3. Defendants object to the RFPs to the extent they seek documents or information
9 protected by the attorney-client privilege, attorney work-product doctrine, joint defense privilege,
10 common interest exception, or any other applicable privilege, immunity, doctrine or protection.
11 Nothing in these objections and responses is intended to be or is a waiver of any attorney-client
12 privilege, attorney work product immunity, or any other applicable privilege, immunity, doctrine
13 or protection.

14 4. Defendants object to the RFPs and to each request therein to the extent that they are
15 overbroad, unduly burdensome, oppressive, duplicative or prior discovery requests, and seek
16 documents that are beyond the scope of discovery under the Federal Rules of Civil Procedure.

17 5. Defendants object to the RFPs and to each request therein to the extent that they
18 seek documents that are already public, already in Plaintiffs' possession, custody or control, or are
19 otherwise available from sources to which Plaintiffs also have access.

20 6. Defendants object to the RFPs and to each request therein to the extent that they
21 require production of documents and information that are not relevant to the claims and defenses
22 in Plaintiffs' action.

23 7. Defendants object to the RFPs and to each request therein to the extent that they are
24 vague, ambiguous, and/or unintelligible.

25 8. Defendants object to the RFPs and to each request therein to the extent that they
26 call for documents not in the possession, custody or control of Defendants.

27 9. Defendants object to the RFPs to the extent that they request documents that are not
28 reasonably accessible because of undue burden or cost.

10. Defendants object to the RFPs to the extent that they mischaracterize Defendants' business.

11. Defendants object to the RFPs to the extent that they are not proportional to the needs of the case.

12. Defendants expressly incorporate each of the foregoing General Objections into each specific response to the RFPs set forth below as if set forth in full therein. An answer to a request shall not work as a waiver of any applicable specific or general objection to a request.

SPECIFIC OBJECTIONS AND RESPONSES

REQUEST NO. 40:²

All Documents relating to Your advertising or marketing of driver background checks conducted by YOU, or on YOUR behalf by a third party company, including but not limited to the advertisements themselves and any internal communications pertaining to the advertisement or marketing campaign.

RESPONSE TO REQUEST NO. 40:

Defendants incorporate their Preliminary Statement and General Objections as though fully set forth herein. Defendants further object to this request to the extent it seeks documents or information protected by the attorney-client privilege, attorney work-product doctrine, joint defense privilege, common interest exception, or any other applicable privilege, immunity, doctrine or protection. Defendants further object to this request to the extent it seeks information for a period of time or a jurisdiction not relevant to the subject matter involved in the pending action. Defendants also object to this request on the ground that it is overbroad, unduly burdensome, and not proportional to the needs of this case, including to the extent it calls for documents relating to statements that are not part of the allegations of the First Amended Complaint. Defendants further object to this request to the extent that it seeks documents that are publicly available, or are equally accessible to Plaintiffs.

² As noted in footnote 1, Request Nos. 40-63 have already been served by Plaintiffs. For ease of reference, Defendants refer to the numbers used by Plaintiffs in their October 10, 2016 set of requests rather than correcting the numbering.

1 Subject to and without waiving the foregoing general and specific objections, Defendants
2 respond as follows:

3 Plaintiffs' request calls for responses after the fact discovery cutoff, and therefore is not
4 enforceable except by order of the Court for good cause shown. *See* N.D. Cal. Civil L.R. 37-3.
5 As a result, Defendants will not produce documents in response to this request.

6 **REQUEST NO. 41:**

7 All Documents relating to the frequency with how often You, or a third party acting on
8 Your behalf, rerun background checks on YOUR drivers.

9 **RESPONSE TO REQUEST NO. 41:**

10 Defendants incorporate their Preliminary Statement and General Objections as though
11 fully set forth herein. Defendants further object to this request to the extent it seeks documents or
12 information protected by the attorney-client privilege, attorney work-product doctrine, joint
13 defense privilege, common interest exception, or any other applicable privilege, immunity,
14 doctrine or protection. Defendants further object to this request to the extent it seeks information
15 for a period of time or a jurisdiction not relevant to the subject matter involved in the pending
16 action. Defendants also object to this request on the ground that it is overbroad, unduly
17 burdensome, and not proportional to the needs of this case.

18 Subject to and without waiving the foregoing general and specific objections, Defendants
19 respond as follows:

20 Plaintiffs' request calls for responses after the fact discovery cutoff, and therefore is not
21 enforceable except by order of the Court for good cause shown. *See* N.D. Cal. Civil L.R. 37-3.
22 As a result, Defendants will not produce documents in response to this request.

23 **REQUEST NO. 42:**

24 All Documents relating to any policies You have in place that specify the frequency with
25 which, or how often a vehicle must be re-inspected.

26 **RESPONSE TO REQUEST NO. 42:**

27 Defendants incorporate their Preliminary Statement and General Objections as though
28 fully set forth herein. Defendants further object to this request to the extent it seeks documents or

1 information protected by the attorney-client privilege, attorney work-product doctrine, joint
2 defense privilege, common interest exception, or any other applicable privilege, immunity,
3 doctrine or protection. Defendants further object to this request to the extent it seeks information
4 for a period of time or a jurisdiction not relevant to the subject matter involved in the pending
5 action. Defendants also object to this request on the ground that it is overbroad, unduly
6 burdensome, and not proportional to the needs of this case.

7 Subject to and without waiving the foregoing general and specific objections, Defendants
8 respond as follows:

9 Plaintiffs' request calls for responses after the fact discovery cutoff, and therefore is not
10 enforceable except by order of the Court for good cause shown. *See* N.D. Cal. Civil L.R. 37-3.
11 As a result, Defendants will not produce documents in response to this request.

12 **REQUEST NO. 43:**

13 All Documents that are sufficient to show Your expenditures on safety.

14 **RESPONSE TO REQUEST NO. 43:**

15 Defendants incorporate their Preliminary Statement and General Objections as though
16 fully set forth herein and object that this request is duplicative of prior discovery requests.
17 Defendants further object to this request to the extent it seeks documents or information protected
18 by the attorney-client privilege, attorney work-product doctrine, joint defense privilege, common
19 interest exception, or any other applicable privilege, immunity, doctrine or protection. Defendants
20 further object to this request to the extent it seeks information for a period of time or a jurisdiction
21 not relevant to the subject matter involved in the pending action. Defendants also object to this
22 request on the ground that it is overbroad, unduly burdensome, and not proportional to the needs
23 of this case.

24 Subject to and without waiving the foregoing general and specific objections, Defendants
25 respond as follows:

26 Plaintiffs' request calls for responses after the fact discovery cutoff, and therefore is not
27 enforceable except by order of the Court for good cause shown. *See* N.D. Cal. Civil L.R. 37-3.
28 As a result, Defendants will not produce documents in response to this request.

REQUEST NO. 44:

Any and all insurance policies for loss, damage, or injury to persons and/or property arising out of UberX rides booked through Your mobile application including, but not limited to, declarations pages, endorsements, and certificates of insurance, evidencing coverage for You or any of Your drivers.

RESPONSE TO REQUEST NO. 44:

Defendants incorporate their Preliminary Statement and General Objections as though fully set forth herein. Defendants further object to this request to the extent it seeks documents or information protected by the attorney-client privilege, attorney work-product doctrine, joint defense privilege, common interest exception, or any other applicable privilege, immunity, doctrine or protection. Defendants further object to this request to the extent it seeks information for a period of time or a jurisdiction not relevant to the subject matter involved in the pending action. Defendants also object to this request on the ground that it is overbroad, unduly burdensome, and not proportional to the needs of this case.

Subject to and without waiving the foregoing general and specific objections, Defendants respond as follows:

Plaintiffs' request calls for responses after the fact discovery cutoff, and therefore is not enforceable except by order of the Court for good cause shown. *See* N.D. Cal. Civil L.R. 37-3. As a result, Defendants will not produce documents in response to this request.

REQUEST NO. 45:

To the extent not already produced, all Documents reflecting, relating to, or evidencing the amount of money that You have spent in connection with background checks for potential or current UberX drivers (including, but not limited to, those performed by Hirease, Inc., Accurate Background, Inc. or Checkr, Inc.).

RESPONSE TO REQUEST NO. 45:

Defendants incorporate their Preliminary Statement and General Objections as though fully set forth herein and object that this request is duplicative of prior discovery requests. Defendants further object to this request to the extent it seeks documents or information protected

1 by the attorney-client privilege, attorney work-product doctrine, joint defense privilege, common
2 interest exception, or any other applicable privilege, immunity, doctrine or protection. Defendants
3 further object to this request to the extent it seeks information for a period of time or a jurisdiction
4 not relevant to the subject matter involved in the pending action. Defendants also object to this
5 request on the ground that it is overbroad, unduly burdensome, and not proportional to the needs
6 of this case.

7 Subject to and without waiving the foregoing general and specific objections, Defendants
8 respond as follows:

9 Plaintiffs' request calls for responses after the fact discovery cutoff, and therefore is not
10 enforceable except by order of the Court for good cause shown. *See* N.D. Cal. Civil L.R. 37-3.
11 As a result, Defendants will not produce documents in response to this request.

12 **REQUEST NO. 46:**

13 To the extent not already produced, all Documents reflecting, relating to, or evidencing the
14 amount of money that You have allocated to background checks for potential or current UberX
15 drivers (including, but not limited to, those performed by Hirease, Inc., Accurate Background, Inc.
16 or Checkr, Inc.).

17 **RESPONSE TO REQUEST NO. 46:**

18 Defendants incorporate their Preliminary Statement and General Objections as though
19 fully set forth herein and object that this request is duplicative of prior discovery requests.
20 Defendants further object to this request to the extent it seeks documents or information protected
21 by the attorney-client privilege, attorney work-product doctrine, joint defense privilege, common
22 interest exception, or any other applicable privilege, immunity, doctrine or protection. Defendants
23 further object to this request to the extent it seeks information for a period of time or a jurisdiction
24 not relevant to the subject matter involved in the pending action. Defendants also object to this
25 request on the ground that it is overbroad, unduly burdensome, and not proportional to the needs
26 of this case.

27 Subject to and without waiving the foregoing general and specific objections, Defendants
28 respond as follows:

1 Plaintiffs' request calls for responses after the fact discovery cutoff, and therefore is not
2 enforceable except by order of the Court for good cause shown. *See* N.D. Cal. Civil L.R. 37-3.
3 As a result, Defendants will not produce documents in response to this request.

4 **REQUEST NO. 47:**

5 To the extent not already produced, all Documents reflecting, relating to, or evidencing
6 how You spend the "Safe Rides Fees" that You collect.

7 **RESPONSE TO REQUEST NO. 47:**

8 Defendants incorporate their Preliminary Statement and General Objections as though
9 fully set forth herein and object that this request is duplicative of prior discovery requests.
10 Defendants further object to this request to the extent it seeks documents or information protected
11 by the attorney-client privilege, attorney work-product doctrine, joint defense privilege, common
12 interest exception, or any other applicable privilege, immunity, doctrine or protection. Defendants
13 further object to this request to the extent it seeks information for a period of time or a jurisdiction
14 not relevant to the subject matter involved in the pending action. Defendants also object to this
15 request on the ground that it is overbroad, unduly burdensome, and not proportional to the needs
16 of this case.

17 Subject to and without waiving the foregoing general and specific objections, Defendants
18 respond as follows:

19 Plaintiffs' request calls for responses after the fact discovery cutoff, and therefore is not
20 enforceable except by order of the Court for good cause shown. *See* N.D. Cal. Civil L.R. 37-3.
21 As a result, Defendants will not produce documents in response to this request.

22 **REQUEST NO. 48:**

23 To the extent not already produced, all Documents reflecting, relating to, or evidencing the
24 revenues generated as a result of the UberX service for every year since the inception of the
25 UberX service including, but not limited to, any profit and loss statements.

26 **RESPONSE TO REQUEST NO. 48:**

27 Defendants incorporate their Preliminary Statement and General Objections as though
28 fully set forth herein and object that this request is duplicative of prior discovery requests.

1 Defendants further object to this request to the extent it seeks documents or information protected
2 by the attorney-client privilege, attorney work-product doctrine, joint defense privilege, common
3 interest exception, or any other applicable privilege, immunity, doctrine or protection. Defendants
4 further object to this request to the extent it seeks information for a period of time or a jurisdiction
5 not relevant to the subject matter involved in the pending action. Defendants also object to this
6 request on the ground that it is overbroad, unduly burdensome, and not proportional to the needs
7 of this case.

8 Subject to and without waiving the foregoing general and specific objections, Defendants
9 respond as follows:

10 Plaintiffs' request calls for responses after the fact discovery cutoff, and therefore is not
11 enforceable except by order of the Court for good cause shown. *See* N.D. Cal. Civil L.R. 37-3.
12 As a result, Defendants will not produce documents in response to this request.

13 **REQUEST NO. 49:**

14 To the extent not already produced, all Documents reflecting, relating to, or evidencing the
15 profits generated as a result of the UberX service for every year since the inception of the UberX
16 service including, but not limited to, any profit and loss statements.

17 **RESPONSE TO REQUEST NO. 49:**

18 Defendants incorporate their Preliminary Statement and General Objections as though
19 fully set forth herein and object that this request is duplicative of prior discovery requests.
20 Defendants further object to this request to the extent it seeks documents or information protected
21 by the attorney-client privilege, attorney work-product doctrine, joint defense privilege, common
22 interest exception, or any other applicable privilege, immunity, doctrine or protection. Defendants
23 further object to this request to the extent it seeks information for a period of time or a jurisdiction
24 not relevant to the subject matter involved in the pending action. Defendants also object to this
25 request on the ground that it is overbroad, unduly burdensome, and not proportional to the needs
26 of this case.

27 Subject to and without waiving the foregoing general and specific objections, Defendants
28 respond as follows:

1 Plaintiffs' request calls for responses after the fact discovery cutoff, and therefore is not
2 enforceable except by order of the Court for good cause shown. *See* N.D. Cal. Civil L.R. 37-3.
3 As a result, Defendants will not produce documents in response to this request.

4 **REQUEST NO. 50:**

5 To the extent not already produced, all Documents reflecting, relating to, or evidencing the
6 revenues generated in San Francisco and SFO Airport as a result of the UberX service for every
7 year since the inception of the UberX service including, but not limited to, any profit and loss
8 statements.

9 **RESPONSE TO REQUEST NO. 50:**

10 Defendants incorporate their Preliminary Statement and General Objections as though
11 fully set forth herein and object that this request is duplicative of prior discovery requests.
12 Defendants further object to this request to the extent it seeks documents or information protected
13 by the attorney-client privilege, attorney work-product doctrine, joint defense privilege, common
14 interest exception, or any other applicable privilege, immunity, doctrine or protection. Defendants
15 further object to this request to the extent it seeks information for a period of time or a jurisdiction
16 not relevant to the subject matter involved in the pending action. Defendants also object to this
17 request on the ground that it is overbroad, unduly burdensome, and not proportional to the needs
18 of this case.

19 Subject to and without waiving the foregoing general and specific objections, Defendants
20 respond as follows:

21 Plaintiffs' request calls for responses after the fact discovery cutoff, and therefore is not
22 enforceable except by order of the Court for good cause shown. *See* N.D. Cal. Civil L.R. 37-3.
23 As a result, Defendants will not produce documents in response to this request.

24 **REQUEST NO. 51:**

25 To the extent not already produced, all Documents reflecting, relating to, or evidencing the
26 Profits generated in San Francisco and SFO Airport as a result of the UberX service for every year
27 since the inception of the UberX service including, but not limited to, any profit and loss
28 statements.

RESPONSE TO REQUEST NO. 51:

Defendants incorporate their Preliminary Statement and General Objections as though fully set forth herein and object that this request is duplicative of prior discovery requests. Defendants further object to this request to the extent it seeks documents or information protected by the attorney-client privilege, attorney work-product doctrine, joint defense privilege, common interest exception, or any other applicable privilege, immunity, doctrine or protection. Defendants further object to this request to the extent it seeks information for a period of time or a jurisdiction not relevant to the subject matter involved in the pending action. Defendants also object to this request on the ground that it is overbroad, unduly burdensome, and not proportional to the needs of this case.

Subject to and without waiving the foregoing general and specific objections, Defendants respond as follows:

Plaintiffs' request calls for responses after the fact discovery cutoff, and therefore is not enforceable except by order of the Court for good cause shown. *See* N.D. Cal. Civil L.R. 37-3. As a result, Defendants will not produce documents in response to this request.

REQUEST NO. 52:

All Documents reflecting, relating to, or evidencing the revenues generated in Los Angeles County as a result of the UberX service for every year since the inception of the UberX service including, but not limited to, any profit and loss statements.

RESPONSE TO REQUEST NO. 52:

Defendants incorporate their Preliminary Statement and General Objections as though fully set forth herein and object that this request is duplicative of prior discovery requests. Defendants further object to this request to the extent it seeks documents or information protected by the attorney-client privilege, attorney work-product doctrine, joint defense privilege, common interest exception, or any other applicable privilege, immunity, doctrine or protection. Defendants further object to this request to the extent it seeks information for a period of time or a jurisdiction not relevant to the subject matter involved in the pending action. Defendants also object to this

1 request on the ground that it is overbroad, unduly burdensome, and not proportional to the needs
2 of this case.

3 Subject to and without waiving the foregoing general and specific objections, Defendants
4 respond as follows:

5 Plaintiffs' request calls for responses after the fact discovery cutoff, and therefore is not
6 enforceable except by order of the Court for good cause shown. *See* N.D. Cal. Civil L.R. 37-3.
7 As a result, Defendants will not produce documents in response to this request.

8 **REQUEST NO. 53:**

9 All Documents reflecting, relating to, or evidencing the Profits generated in Los Angeles
10 County as a result of the UberX service for every year since the inception of the UberX service
11 including, but not limited to, any profit and loss statements.

12 **RESPONSE TO REQUEST NO. 53:**

13 Defendants incorporate their Preliminary Statement and General Objections as though
14 fully set forth herein and object that this request is duplicative of prior discovery requests.
15 Defendants further object to this request to the extent it seeks documents or information protected
16 by the attorney-client privilege, attorney work-product doctrine, joint defense privilege, common
17 interest exception, or any other applicable privilege, immunity, doctrine or protection. Defendants
18 further object to this request to the extent it seeks information for a period of time or a jurisdiction
19 not relevant to the subject matter involved in the pending action. Defendants also object to this
20 request on the ground that it is overbroad, unduly burdensome, and not proportional to the needs
21 of this case.

22 Subject to and without waiving the foregoing general and specific objections, Defendants
23 respond as follows:

24 Plaintiffs' request calls for responses after the fact discovery cutoff, and therefore is not
25 enforceable except by order of the Court for good cause shown. *See* N.D. Cal. Civil L.R. 37-3.
26 As a result, Defendants will not produce documents in response to this request.
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REQUEST NO. 54:

All Documents reflecting, relating to, or evidencing the revenues generated in Santa Barbara County as a result of the UberX service for every year since the inception of the UberX service including, but not limited to, any profit and loss statements.

RESPONSE TO REQUEST NO. 54:

Defendants incorporate their Preliminary Statement and General Objections as though fully set forth herein and object that this request is duplicative of prior discovery requests. Defendants further object to this request to the extent it seeks documents or information protected by the attorney-client privilege, attorney work-product doctrine, joint defense privilege, common interest exception, or any other applicable privilege, immunity, doctrine or protection. Defendants further object to this request to the extent it seeks information for a period of time or a jurisdiction not relevant to the subject matter involved in the pending action. Defendants also object to this request on the ground that it is overbroad, unduly burdensome, and not proportional to the needs of this case.

Subject to and without waiving the foregoing general and specific objections, Defendants respond as follows:

Plaintiffs' request calls for responses after the fact discovery cutoff, and therefore is not enforceable except by order of the Court for good cause shown. *See* N.D. Cal. Civil L.R. 37-3. As a result, Defendants will not produce documents in response to this request.

REQUEST NO. 55:

All Documents reflecting, relating to, or evidencing the Profits generated in Santa Barbara County as a result of the UberX service for every year since the inception of the UberX service including, but not limited to, any profit and loss statements.

RESPONSE TO REQUEST NO. 55:

Defendants incorporate their Preliminary Statement and General Objections as though fully set forth herein and object that this request is duplicative of prior discovery requests. Defendants further object to this request to the extent it seeks documents or information protected by the attorney-client privilege, attorney work-product doctrine, joint defense privilege, common

1 interest exception, or any other applicable privilege, immunity, doctrine or protection. Defendants
2 further object to this request to the extent it seeks information for a period of time or a jurisdiction
3 not relevant to the subject matter involved in the pending action. Defendants also object to this
4 request on the ground that it is overbroad, unduly burdensome, and not proportional to the needs
5 of this case.

6 Subject to and without waiving the foregoing general and specific objections, Defendants
7 respond as follows:

8 Plaintiffs' request calls for responses after the fact discovery cutoff, and therefore is not
9 enforceable except by order of the Court for good cause shown. *See* N.D. Cal. Civil L.R. 37-3.
10 As a result, Defendants will not produce documents in response to this request.

11 **REQUEST NO. 56:**

12 All Documents reflecting, relating to, or evidencing the revenues generated in Ventura
13 County as a result of the UberX service for every year since the inception of the UberX service
14 including, but not limited to, any profit and loss statements.

15 **RESPONSE TO REQUEST NO. 56:**

16 Defendants incorporate their Preliminary Statement and General Objections as though
17 fully set forth herein and object that this request is duplicative of prior discovery requests.
18 Defendants further object to this request to the extent it seeks documents or information protected
19 by the attorney-client privilege, attorney work-product doctrine, joint defense privilege, common
20 interest exception, or any other applicable privilege, immunity, doctrine or protection. Defendants
21 further object to this request to the extent it seeks information for a period of time or a jurisdiction
22 not relevant to the subject matter involved in the pending action. Defendants also object to this
23 request on the ground that it is overbroad, unduly burdensome, and not proportional to the needs
24 of this case.

25 Subject to and without waiving the foregoing general and specific objections, Defendants
26 respond as follows:

27

28

1 Plaintiffs' request calls for responses after the fact discovery cutoff, and therefore is not
2 enforceable except by order of the Court for good cause shown. *See* N.D. Cal. Civil L.R. 37-3.
3 As a result, Defendants will not produce documents in response to this request.

4 **REQUEST NO. 57:**

5 All Documents reflecting, relating to, or evidencing the Profits generated in Ventura
6 County as a result of the UberX service for every year since the inception of the UberX service
7 including, but not limited to, any profit and loss statements.

8 **RESPONSE TO REQUEST NO. 57:**

9 Defendants incorporate their Preliminary Statement and General Objections as though
10 fully set forth herein and object that this request is duplicative of prior discovery requests.
11 Defendants further object to this request to the extent it seeks documents or information protected
12 by the attorney-client privilege, attorney work-product doctrine, joint defense privilege, common
13 interest exception, or any other applicable privilege, immunity, doctrine or protection. Defendants
14 further object to this request to the extent it seeks information for a period of time or a jurisdiction
15 not relevant to the subject matter involved in the pending action. Defendants also object to this
16 request on the ground that it is overbroad, unduly burdensome, and not proportional to the needs
17 of this case.

18 Subject to and without waiving the foregoing general and specific objections, Defendants
19 respond as follows:

20 Plaintiffs' request calls for responses after the fact discovery cutoff, and therefore is not
21 enforceable except by order of the Court for good cause shown. *See* N.D. Cal. Civil L.R. 37-3.
22 As a result, Defendants will not produce documents in response to this request.

23 **REQUEST NO. 58:**

24 All Documents reflecting, relating to, or evidencing the revenues generated in San
25 Bernardino County (including the cities of Ontario, Upland, Rancho Cucamonga, Fontana, Rialto,
26 San Bernardino, Loma Linda, Redlands, Barstow, Yucca Valley, Twentynine Palms and Joshua
27 Tree) as a result of the UberX service for every year since the inception of the UberX service
28 including, but not limited to, any profit and loss statements.

RESPONSE TO REQUEST NO. 58:

Defendants incorporate their Preliminary Statement and General Objections as though fully set forth herein and object that this request is duplicative of prior discovery requests. Defendants further object to this request to the extent it seeks documents or information protected by the attorney-client privilege, attorney work-product doctrine, joint defense privilege, common interest exception, or any other applicable privilege, immunity, doctrine or protection. Defendants further object to this request to the extent it seeks information for a period of time or a jurisdiction not relevant to the subject matter involved in the pending action. Defendants also object to this request on the ground that it is overbroad, unduly burdensome, and not proportional to the needs of this case.

Subject to and without waiving the foregoing general and specific objections, Defendants respond as follows:

Plaintiffs' request calls for responses after the fact discovery cutoff, and therefore is not enforceable except by order of the Court for good cause shown. *See* N.D. Cal. Civil L.R. 37-3. As a result, Defendants will not produce documents in response to this request.

REQUEST NO. 59:

All Documents reflecting, relating to, or evidencing the profits generated in San Bernardino County (including the cities of Ontario, Upland, Rancho Cucamonga, Fontana, Rialto, San Bernardino, Loma Linda, Redlands, Barstow, Yucca Valley, Twentynine Palms and Joshua Tree) as a result of the UberX service for every year since the inception of the UberX service including, but not limited to, any profit and loss statements.

RESPONSE TO REQUEST NO. 59:

Defendants incorporate their Preliminary Statement and General Objections as though fully set forth herein and object that this request is duplicative of prior discovery requests. Defendants further object to this request to the extent it seeks documents or information protected by the attorney-client privilege, attorney work-product doctrine, joint defense privilege, common interest exception, or any other applicable privilege, immunity, doctrine or protection. Defendants further object to this request to the extent it seeks information for a period of time or a jurisdiction

1 not relevant to the subject matter involved in the pending action. Defendants also object to this
2 request on the ground that it is overbroad, unduly burdensome, and not proportional to the needs
3 of this case.

4 Subject to and without waiving the foregoing general and specific objections, Defendants
5 respond as follows:

6 Plaintiffs' request calls for responses after the fact discovery cutoff, and therefore is not
7 enforceable except by order of the Court for good cause shown. *See* N.D. Cal. Civil L.R. 37-3.
8 As a result, Defendants will not produce documents in response to this request.

9 **REQUEST NO. 60:**

10 All Documents reflecting, relating to, or evidencing the revenues generated in Riverside
11 County within the cities of Cathedral City, Thermal, Coachella, Desert Hot Springs, Indian Wells,
12 Indio, La Quinta, Palm Desert, Palm Springs and Rancho Mirage as a result of the UberX service
13 for every year since the inception of the UberX service including, but not limited to, any profit and
14 loss statements.

15 **RESPONSE TO REQUEST NO. 60:**

16 Defendants incorporate their Preliminary Statement and General Objections as though
17 fully set forth herein and object that this request is duplicative of prior discovery requests.
18 Defendants object to this request on the ground that it seeks documents and information that are
19 not relevant to Plaintiffs' claims. Defendants further object to this request to the extent it seeks
20 documents or information protected by the attorney-client privilege, attorney work-product
21 doctrine, joint defense privilege, common interest exception, or any other applicable privilege,
22 immunity, doctrine or protection. Defendants further object to this request to the extent it seeks
23 information for a period of time or a jurisdiction not relevant to the subject matter involved in the
24 pending action. Defendants also object to this request on the ground that it is overbroad, unduly
25 burdensome, and not proportional to the needs of this case.

26 Subject to and without waiving the foregoing general and specific objections, Defendants
27 respond as follows:
28

1 Plaintiffs' request calls for responses after the fact discovery cutoff, and therefore is not
2 enforceable except by order of the Court for good cause shown. *See* N.D. Cal. Civil L.R. 37-3.
3 As a result, Defendants will not produce documents in response to this request.

4 **REQUEST NO. 61:**

5 All Documents reflecting, relating to, or evidencing the profits generated in Riverside
6 County within the cities of Cathedral City, Thermal, Coachella, Desert Hot Springs, Indian Wells,
7 Indio, La Quinta, Palm Desert, Palm Springs and Rancho Mirage as a result of the UberX service
8 for every year since the inception of the UberX service including, but not limited to, any profit and
9 loss statements.

10 **RESPONSE TO REQUEST NO. 61:**

11 Defendants incorporate their Preliminary Statement and General Objections as though
12 fully set forth herein and object that this request is duplicative of prior discovery requests.
13 Defendants object to this request on the ground that it seeks documents and information that are
14 not relevant to Plaintiffs' claims. Defendants further object to this request to the extent it seeks
15 documents or information protected by the attorney-client privilege, attorney work-product
16 doctrine, joint defense privilege, common interest exception, or any other applicable privilege,
17 immunity, doctrine or protection. Defendants further object to this request to the extent it seeks
18 information for a period of time or a jurisdiction not relevant to the subject matter involved in the
19 pending action. Defendants also object to this request on the ground that it is overbroad, unduly
20 burdensome, and not proportional to the needs of this case.

21 Subject to and without waiving the foregoing general and specific objections, Defendants
22 respond as follows:

23 Plaintiffs' request calls for responses after the fact discovery cutoff, and therefore is not
24 enforceable except by order of the Court for good cause shown. *See* N.D. Cal. Civil L.R. 37-3.
25 As a result, Defendants will not produce documents in response to this request.
26
27
28

REQUEST NO. 62:

All Documents reflecting, relating to, or evidencing the revenues generated in Orange County as a result of the UberX service for every year since the inception of the UberX service including, but not limited to, any profit and loss statements.

RESPONSE TO REQUEST NO. 62:

Defendants incorporate their Preliminary Statement and General Objections as though fully set forth herein and object that this request is duplicative of prior discovery requests. Defendants further object to this request to the extent it seeks documents or information protected by the attorney-client privilege, attorney work-product doctrine, joint defense privilege, common interest exception, or any other applicable privilege, immunity, doctrine or protection. Defendants further object to this request to the extent it seeks information for a period of time or a jurisdiction not relevant to the subject matter involved in the pending action. Defendants also object to this request on the ground that it is overbroad, unduly burdensome, and not proportional to the needs of this case.

Subject to and without waiving the foregoing general and specific objections, Defendants respond as follows:

Plaintiffs' request calls for responses after the fact discovery cutoff, and therefore is not enforceable except by order of the Court for good cause shown. *See* N.D. Cal. Civil L.R. 37-3. As a result, Defendants will not produce documents in response to this request.

REQUEST NO. 63:

All Documents reflecting, relating to, or evidencing the profits generated in Orange County as a result of the UberX service for every year since the inception of the UberX service including, but not limited to, any profit and loss statements.

RESPONSE TO REQUEST NO. 63:

Defendants incorporate their Preliminary Statement and General Objections as though fully set forth herein and object that this request is duplicative of prior discovery requests. Defendants further object to this request to the extent it seeks documents or information protected by the attorney-client privilege, attorney work-product doctrine, joint defense privilege, common

1 interest exception, or any other applicable privilege, immunity, doctrine or protection. Defendants
2 further object to this request to the extent it seeks information for a period of time or a jurisdiction
3 not relevant to the subject matter involved in the pending action. Defendants also object to this
4 request on the ground that it is overbroad, unduly burdensome, and not proportional to the needs
5 of this case.

6 Subject to and without waiving the foregoing general and specific objections, Defendants
7 respond as follows:

8 Plaintiffs' request calls for responses after the fact discovery cutoff, and therefore is not
9 enforceable except by order of the Court for good cause shown. *See* N.D. Cal. Civil L.R. 37-3.
10 As a result, Defendants will not produce documents in response to this request.

11 **REQUEST NO. 64:**

12 All Documents reflecting, relating to, or evidencing the revenues generated in the County
13 of San Diego, with the exception of the City of Coronado, as a result of the UberX service for
14 every year since the inception of the UberX service including, but not limited to, any profit and
15 loss statements.

16 **RESPONSE TO REQUEST NO. 64:**

17 Defendants incorporate their Preliminary Statement and General Objections as though
18 fully set forth herein and object that this request is duplicative of prior discovery requests.
19 Defendants further object to this request to the extent it seeks documents or information protected
20 by the attorney-client privilege, attorney work-product doctrine, joint defense privilege, common
21 interest exception, or any other applicable privilege, immunity, doctrine or protection. Defendants
22 further object to this request to the extent it seeks information for a period of time or a jurisdiction
23 not relevant to the subject matter involved in the pending action. Defendants also object to this
24 request on the ground that it is overbroad, unduly burdensome, and not proportional to the needs
25 of this case.

26 Subject to and without waiving the foregoing general and specific objections, Defendants
27 respond as follows:
28

1 Plaintiffs' request calls for responses after the fact discovery cutoff, and therefore is not
2 enforceable except by order of the Court for good cause shown. *See* N.D. Cal. Civil L.R. 37-3.
3 As a result, Defendants will not produce documents in response to this request.

4 **REQUEST NO. 65:**

5 All Documents reflecting, relating to, or evidencing the profits generated in the County of
6 San Diego, with the exception of the City of Coronado, as a result of the UberX service for every
7 year since the inception of the UberX service including, but not limited to, any profit and loss
8 statements.

9 **RESPONSE TO REQUEST NO. 65:**

10 Defendants incorporate their Preliminary Statement and General Objections as though
11 fully set forth herein and object that this request is duplicative of prior discovery requests.
12 Defendants further object to this request to the extent it seeks documents or information protected
13 by the attorney-client privilege, attorney work-product doctrine, joint defense privilege, common
14 interest exception, or any other applicable privilege, immunity, doctrine or protection. Defendants
15 further object to this request to the extent it seeks information for a period of time or a jurisdiction
16 not relevant to the subject matter involved in the pending action. Defendants also object to this
17 request on the ground that it is overbroad, unduly burdensome, and not proportional to the needs
18 of this case.

19 Subject to and without waiving the foregoing general and specific objections, Defendants
20 respond as follows:

21 Plaintiffs' request calls for responses after the fact discovery cutoff, and therefore is not
22 enforceable except by order of the Court for good cause shown. *See* N.D. Cal. Civil L.R. 37-3.
23 As a result, Defendants will not produce documents in response to this request.

24 **REQUEST NO. 66:**

25 All Documents reflecting or evidencing the number of UberX rides taken by passengers in
26 San Francisco and SFO Airport each year since the inception of the UberX platform.
27
28

RESPONSE TO REQUEST NO. 66:

Defendants incorporate their Preliminary Statement and General Objections as though fully set forth herein. Defendants further object to this request to the extent it seeks documents or information protected by the attorney-client privilege, attorney work-product doctrine, joint defense privilege, common interest exception, or any other applicable privilege, immunity, doctrine or protection. Defendants further object to this request to the extent it seeks information for a period of time not relevant to the subject matter involved in the pending action. Defendants also object to this request on the ground that it is overbroad, unduly burdensome, and not proportional to the needs of this case.

Subject to and without waiving the foregoing general and specific objections, Defendants respond as follows:

Plaintiffs' request calls for responses after the fact discovery cutoff, and therefore is not enforceable except by order of the Court for good cause shown. *See* N.D. Cal. Civil L.R. 37-3. As a result, Defendants will not produce documents in response to this request.

REQUEST NO. 67:

All Documents reflecting or evidencing the number of UberX rides taken by passengers in Los Angeles County each year since the inception of the UberX platform.

RESPONSE TO REQUEST NO. 67:

Defendants incorporate their Preliminary Statement and General Objections as though fully set forth herein. Defendants further object to this request to the extent it seeks documents or information protected by the attorney-client privilege, attorney work-product doctrine, joint defense privilege, common interest exception, or any other applicable privilege, immunity, doctrine or protection. Defendants further object to this request to the extent it seeks information for a period of time not relevant to the subject matter involved in the pending action. Defendants also object to this request on the ground that it is overbroad, unduly burdensome, and not proportional to the needs of this case.

Subject to and without waiving the foregoing general and specific objections, Defendants respond as follows:

1 Plaintiffs' request calls for responses after the fact discovery cutoff, and therefore is not
2 enforceable except by order of the Court for good cause shown. *See* N.D. Cal. Civil L.R. 37-3.
3 As a result, Defendants will not produce documents in response to this request.

4 **REQUEST NO. 68:**

5 All Documents reflecting or evidencing the number of UberX rides taken by passengers in
6 San Bernardino County (including the cities of Ontario, Upland, Rancho Cucamonga, Fontana,
7 Rialto, San Bernardino, Loma Linda, Redlands, Barstow, Yucca Valley, Twentynine Palms and
8 Joshua Tree) each year since the inception of the UberX platform.

9 **RESPONSE TO REQUEST NO. 68:**

10 Defendants incorporate their Preliminary Statement and General Objections as though
11 fully set forth herein. Defendants further object to this request to the extent it seeks documents or
12 information protected by the attorney-client privilege, attorney work-product doctrine, joint
13 defense privilege, common interest exception, or any other applicable privilege, immunity,
14 doctrine or protection. Defendants further object to this request to the extent it seeks information
15 for a period of time not relevant to the subject matter involved in the pending action. Defendants
16 also object to this request on the ground that it is overbroad, unduly burdensome, and not
17 proportional to the needs of this case.

18 Subject to and without waiving the foregoing general and specific objections, Defendants
19 respond as follows:

20 Plaintiffs' request calls for responses after the fact discovery cutoff, and therefore is not
21 enforceable except by order of the Court for good cause shown. *See* N.D. Cal. Civil L.R. 37-3.
22 As a result, Defendants will not produce documents in response to this request.

23 **REQUEST NO. 69:**

24 All Documents reflecting or evidencing the number of UberX rides taken by passengers in
25 Riverside County within the cities of Cathedral City, Thermal, Coachella, Desert Hot Springs,
26 Indian Wells, Indio, La Quinta, Palm Desert, Palm Springs and Rancho Mirage each year since the
27 inception of the UberX platform.
28

RESPONSE TO REQUEST NO. 69:

Defendants incorporate their Preliminary Statement and General Objections as though fully set forth herein. Defendants object to this request on the ground that it seeks documents and information that are not relevant to Plaintiffs' claims. Defendants further object to this request to the extent it seeks documents or information protected by the attorney-client privilege, attorney work-product doctrine, joint defense privilege, common interest exception, or any other applicable privilege, immunity, doctrine or protection. Defendants further object to this request to the extent it seeks information for a period of time not relevant to the subject matter involved in the pending action. Defendants also object to this request on the ground that it is overbroad, unduly burdensome, and not proportional to the needs of this case.

Subject to and without waiving the foregoing general and specific objections, Defendants respond as follows:

Plaintiffs' request calls for responses after the fact discovery cutoff, and therefore is not enforceable except by order of the Court for good cause shown. *See* N.D. Cal. Civil L.R. 37-3. As a result, Defendants will not produce documents in response to this request.

REQUEST NO. 70:

All Documents reflecting or evidencing the number of UberX rides taken by passengers in Santa Barbara County each year since the inception of the UberX platform.

RESPONSE TO REQUEST NO. 70:

Defendants incorporate their Preliminary Statement and General Objections as though fully set forth herein. Defendants further object to this request to the extent it seeks documents or information protected by the attorney-client privilege, attorney work-product doctrine, joint defense privilege, common interest exception, or any other applicable privilege, immunity, doctrine or protection. Defendants further object to this request to the extent it seeks information for a period of time not relevant to the subject matter involved in the pending action. Defendants also object to this request on the ground that it is overbroad, unduly burdensome, and not proportional to the needs of this case.

1 Subject to and without waiving the foregoing general and specific objections, Defendants
2 respond as follows:

3 Plaintiffs' request calls for responses after the fact discovery cutoff, and therefore is not
4 enforceable except by order of the Court for good cause shown. *See* N.D. Cal. Civil L.R. 37-3.
5 As a result, Defendants will not produce documents in response to this request.

6 **REQUEST NO. 71:**

7 All Documents reflecting or evidencing the number of UberX rides taken by passengers in
8 Ventura County each year since the inception of the UberX platform.

9 **RESPONSE TO REQUEST NO. 71:**

10 Defendants incorporate their Preliminary Statement and General Objections as though
11 fully set forth herein. Defendants further object to this request to the extent it seeks documents or
12 information protected by the attorney-client privilege, attorney work-product doctrine, joint
13 defense privilege, common interest exception, or any other applicable privilege, immunity,
14 doctrine or protection. Defendants further object to this request to the extent it seeks information
15 for a period of time not relevant to the subject matter involved in the pending action. Defendants
16 also object to this request on the ground that it is overbroad, unduly burdensome, and not
17 proportional to the needs of this case.

18 Subject to and without waiving the foregoing general and specific objections, Defendants
19 respond as follows:

20 Plaintiffs' request calls for responses after the fact discovery cutoff, and therefore is not
21 enforceable except by order of the Court for good cause shown. *See* N.D. Cal. Civil L.R. 37-3.
22 As a result, Defendants will not produce documents in response to this request.

23 **REQUEST NO. 72:**

24 All Documents reflecting or evidencing the number of UberX rides taken by passengers in
25 Orange County each year since the inception of the UberX platform.

26 **RESPONSE TO REQUEST NO. 72:**

27 Defendants incorporate their Preliminary Statement and General Objections as though
28 fully set forth herein. Defendants further object to this request to the extent it seeks documents or

1 information protected by the attorney-client privilege, attorney work-product doctrine, joint
2 defense privilege, common interest exception, or any other applicable privilege, immunity,
3 doctrine or protection. Defendants further object to this request to the extent it seeks information
4 for a period of time not relevant to the subject matter involved in the pending action. Defendants
5 also object to this request on the ground that it is overbroad, unduly burdensome, and not
6 proportional to the needs of this case.

7 Subject to and without waiving the foregoing general and specific objections, Defendants
8 respond as follows:

9 Plaintiffs' request calls for responses after the fact discovery cutoff, and therefore is not
10 enforceable except by order of the Court for good cause shown. *See* N.D. Cal. Civil L.R. 37-3.
11 As a result, Defendants will not produce documents in response to this request.

12 **REQUEST NO. 73:**

13 All Documents reflecting or evidencing the number of UberX rides taken by passengers in
14 San Diego County, with the exception of the City of Coronado, each year since the inception of
15 the UberX platform.

16 **RESPONSE TO REQUEST NO. 73:**

17 Defendants incorporate their Preliminary Statement and General Objections as though
18 fully set forth herein. Defendants further object to this request to the extent it seeks documents or
19 information protected by the attorney-client privilege, attorney work-product doctrine, joint
20 defense privilege, common interest exception, or any other applicable privilege, immunity,
21 doctrine or protection. Defendants further object to this request to the extent it seeks information
22 for a period of time not relevant to the subject matter involved in the pending action. Defendants
23 also object to this request on the ground that it is overbroad, unduly burdensome, and not
24 proportional to the needs of this case.

25 Subject to and without waiving the foregoing general and specific objections, Defendants
26 respond as follows:
27
28

1 Plaintiffs' request calls for responses after the fact discovery cutoff, and therefore is not
 2 enforceable except by order of the Court for good cause shown. *See* N.D. Cal. Civil L.R. 37-3.
 3 As a result, Defendants will not produce documents in response to this request.

4 **REQUEST NO. 74:**

5 To the extent not already produced, all Documents not produced by Plaintiffs in this action
 6 that mention Plaintiffs' company names.

7 **RESPONSE TO REQUEST NO. 74:**

8 Defendants incorporate their Preliminary Statement and General Objections as though
 9 fully set forth herein. Defendants object to this request on the ground that it seeks documents and
 10 information that are not relevant to Plaintiffs' claims. Defendants further object to this request to
 11 the extent it seeks documents or information protected by the attorney-client privilege, attorney
 12 work-product doctrine, joint defense privilege, common interest exception, or any other applicable
 13 privilege, immunity, doctrine or protection. Defendants further object to this request to the extent
 14 it seeks information for a period of time not relevant to the subject matter involved in the pending
 15 action. Defendants also object to this request on the ground that it is overbroad, unduly
 16 burdensome, and not proportional to the needs of this case. Defendants further object to this
 17 request to the extent that it seeks documents that are publicly available, or are equally accessible to
 18 Plaintiffs.

19 Subject to and without waiving the foregoing general and specific objections, Defendants
 20 respond as follows:

21 Plaintiffs' request calls for responses after the fact discovery cutoff, and therefore is not
 22 enforceable except by order of the Court for good cause shown. *See* N.D. Cal. Civil L.R. 37-3.
 23 As a result, Defendants will not produce documents in response to this request.

24 **REQUEST NO. 75:**

25 To the extent not already produced, all Documents that show the background check
 26 process employed by You is better than a fingerprint background check.

RESPONSE TO REQUEST NO. 75:

Defendants incorporate their Preliminary Statement and General Objections as though fully set forth herein. Defendants further object to this request to the extent it seeks documents or information protected by the attorney-client privilege, attorney work-product doctrine, joint defense privilege, common interest exception, or any other applicable privilege, immunity, doctrine or protection. Defendants further object to this request to the extent it seeks information for a period of time not relevant to the subject matter involved in the pending action. Defendants also object to this request on the ground that it is overbroad, unduly burdensome, and not proportional to the needs of this case. Defendants also object to this request on the ground that the term “better than a fingerprint background check” is vague and ambiguous in the context of this request. Defendants further object to this request to the extent that it seeks documents that are publicly available, or are equally accessible to Plaintiffs. Defendants further objects to this Request to the extent that it seeks to shift the burden of proof to Defendants on issues for which Defendants do not bear the burden.

Subject to and without waiving the foregoing general and specific objections, Defendants respond as follows:

Plaintiffs’ request calls for responses after the fact discovery cutoff, and therefore is not enforceable except by order of the Court for good cause shown. *See* N.D. Cal. Civil L.R. 37-3. As a result, Defendants will not produce documents in response to this request.

REQUEST NO. 76:

To the extent not already produced, all Documents reflecting, relating to, or evidencing proposed changes and actual changes to Your website in regards to safety or background checks.

RESPONSE TO REQUEST NO. 76:

Defendants incorporate their Preliminary Statement and General Objections as though fully set forth herein. Defendants further object to this request to the extent it seeks documents or information protected by the attorney-client privilege, attorney work-product doctrine, joint defense privilege, common interest exception, or any other applicable privilege, immunity, doctrine or protection. Defendants further object to this request to the extent it seeks information

1 for a period of time or a jurisdiction not relevant to the subject matter involved in the pending
2 action. Defendants also object to this request on the ground that it is overbroad, unduly
3 burdensome, and not proportional to the needs of this case. Defendants also object to this request
4 on the ground that the term “in regards to safety or background checks” is vague and ambiguous in
5 the context of this request, and that the Request calls for documents relating to statements that are
6 not part of the allegations of the First Amended Complaint. Defendants further object to this
7 request to the extent that it seeks documents that are publicly available, or are equally accessible to
8 Plaintiffs.

9 Subject to and without waiving the foregoing general and specific objections, Defendants
10 respond as follows:

11 Plaintiffs’ request calls for responses after the fact discovery cutoff, and therefore is not
12 enforceable except by order of the Court for good cause shown. *See* N.D. Cal. Civil L.R. 37-3.
13 As a result, Defendants will not produce documents in response to this request.

14 **REQUEST NO. 77:**

15 Any and all Documents reflecting, relating to, or evidencing representations about taxicabs
16 made by You including, but not limited to, representations made on Your website, in
17 advertisements, or in marketing campaigns.

18 **RESPONSE TO REQUEST NO. 77:**

19 Defendants incorporate their Preliminary Statement and General Objections as though
20 fully set forth herein. Defendants further object to this request to the extent it seeks documents or
21 information protected by the attorney-client privilege, attorney work-product doctrine, joint
22 defense privilege, common interest exception, or any other applicable privilege, immunity,
23 doctrine or protection. Defendants further object to this request to the extent it seeks information
24 for a period of time or a jurisdiction not relevant to the subject matter involved in the pending
25 action. Defendants also object to this request on the ground that it is overbroad, unduly
26 burdensome, and not proportional to the needs of this case. Defendants further object to this
27 request to the extent that it seeks documents that are publicly available, or are equally accessible to
28 Plaintiffs.

1 Subject to and without waiving the foregoing general and specific objections, Defendants
2 respond as follows:

3 Plaintiffs' request calls for responses after the fact discovery cutoff, and therefore is not
4 enforceable except by order of the Court for good cause shown. *See* N.D. Cal. Civil L.R. 37-3.
5 As a result, Defendants will not produce documents in response to this request.

6
7 Dated: November 14, 2016

IRELL & MANELLA LLP

8
9 By: /s/ Nathaniel Lipanovich
10 Nathaniel Lipanovich
11 Attorneys for Defendants
12 Uber Technologies, Inc.; Rasier, LLC; and
13 Rasier-CA, LLC
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PROOF OF SERVICE

I am employed in Newport Beach, State of California. I am over the age of 18 and not a party to the within action. My business address is 840 Newport Center Drive, Suite 400, Newport Beach, CA 92660.

On November 14, 2016, I served the foregoing document described as **DEFENDANTS' RESPONSES AND OBJECTIONS TO PLAINTIFFS' REQUESTS FOR PRODUCTION OF DOCUMENTS (SET FOUR)** on each interested party, as follows:

Bruce L. Simon
George Trevor
PEARSON, SIMON & WARSHAW, LLP
44 Montgomery Street, Suite 2450
San Francisco, CA 94104
bsimon@pswlaw.com
gtrevor@pswlaw.com

Matthew A. Pearson
PEARSON, SIMON & WARSHAW, LLP
15165 Ventura Blvd., Suite 400
Sherman Oaks, CA 91403
mapearson@pswlaw.com

Pursuant to the Parties' agreement under Fed. R. Civ. Proc. 5(b)(2)(E), I caused the foregoing documents to be served electronically by electronically mailing a true and correct copy through Irell & Manella LLP's electronic mail system to the e-mail addresses above, and the transmission was reported as complete and no error was reported.

Executed on November 14, 2016, at Newport Beach, California.

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

Nathaniel Lipanovich

(Type or print name)

(Signature)